

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE RIO PIEDRAS EXPLOSION
LITIGATION

CIVIL 96-2443CCC

ORDER

The San Juan Gas Defendants' Informative Motion (**docket entry 1603**) is **NOTED** but **MOOT**.

The Motion Requesting Leave to Amend the Complaint filed by plaintiff Isidoro Talavera in Civil No. 96-2527 (**docket entry 1604**) is **DENIED** without prejudice of being resubmitted with proper documentation in support. Movant is advised that the Exhibit I mentioned in the motion was not submitted.

The Motion Requesting Leave to File Second Amended Complaint filed by plaintiffs in Civil No. 97-2678 (**docket entry 1614**) is **GRANTED**. The tendered Second Amended Complaint is **ORDERED FILED**.

The Motion Requesting Leave to File Second Amended Complaint filed by plaintiffs in Civil No. 97-1448 (**docket entry 1632**) is **GRANTED**. The tendered Second Amended Complaint is **ORDERED FILED**.

The Motion Requesting Leave to Amend the Complaint filed by plaintiffs in Civil No. 97-1184 (**docket entry 1638**) is **GRANTED**. The tendered Fourth Amended Complaint is **ORDERED FILED**.

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The Motion Requesting Leave to Amend the Complaint filed by plaintiffs in Civil No. 97-1207 (**docket entry 1640**) is GRANTED. The tendered Fourth Amended Complaint is ORDERED FILED.

The Motion Requesting Leave to Amend the Complaint filed by plaintiff in Civil No. 97-1384 (**docket entry 1641**) is GRANTED. The tendered Second Amended Complaint is ORDERED FILED.

The Motion Requesting Leave to Amend the Complaint filed by plaintiffs in Civil No. 97-1185 (**docket entry 1642**) is GRANTED. The tendered Fourth Amended Complaint is ORDERED FILED.

The Informative Motion filed by plaintiffs in Civil No. 97-2051 (**docket entry 1658**) is NOTED, but the parties are advised that inasmuch as it relates to settlement matters, it has been referred to Judge Ward for his consideration (see docket entry 1665).

The Motion Requesting Further Extension of Time filed by plaintiffs in Civil Nos. 97-2712 and 97-2713 (**docket entry 1710**) is MOOT.

The Motion filed by plaintiffs in Civil No. 97-2724 (**docket entry 1724**), considered as a motion for voluntary dismissal without prejudice of the claim of Nélida Morales-Rosario, is deemed withdrawn by their Motion in Urgency (**docket entry 1727**), which is NOTED.

The Motion Requesting Leave to Amend Original Demand filed by co-plaintiff Angel Marrero-Negrón in Civil No. 97-2770 (**docket entry 1731**) is GRANTED. The tendered First Amended Complaint is ORDERED FILED.

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The Motion for Leave to Amend the Complaint filed by plaintiffs in Civil No. 97-1172 (**docket entry 1756**) is GRANTED. The tendered Amended Complaint is ORDERED FILED.

The Motion Requesting Authorization to Amend the Complaint filed by plaintiffs in Civil No. 97-1957 (**docket entry 1758**) is GRANTED. The tendered Second Amended Complaint is ORDERED FILED.

The Motion Requesting the Court to Order that Fees for the PSC be Based on a Percentage of the Fees Agreed Upon Between IRPAS and their Clients filed in Civil No. 97-2751 (**docket entry 1760**) is NOTED. The Court will issue its final ruling on this matter as soon as it receives the Report and Recommendation from Magistrate Judge Delgado.

The Motion Requesting Extension of Time filed by plaintiffs in Civil No. 97-2668 (**docket entry 1776**) is MOOT.

The Motion Requesting Extension of Time filed by plaintiffs in Civil No. 97-2669 (**docket entry 1777**) is MOOT.

The Motion to Show Cause filed by plaintiff in Civil No. 97-1724 (**docket entry 1780**) is NOTED but MOOT. See docket entry 1785, where Judge Ward allowed a final term for the submission of the damages' questionnaires.

The Motion to Show Cause filed by plaintiffs in Civil No. 97-2344 (**docket entry 1782**) is NOTED but MOOT. See docket entry 1785, where Judge Ward allowed a final term for the submission of the damages' questionnaires.

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The Motion Requesting Scheduling of Damage Trials filed in Civil Nos. 96-2617, 96-2638, 97-1038, 97-1364, 97-1806, 97-1957, 97-2372, 97-2741, 97-2742, 97-2761, 98-1572, 99-1196 and 00-1080 (**docket entry 1789**) is MOOT. The Court has already selected a group of representative cases that will be tried beginning in February 2001 and continuing through April 2001. See docket entry 1880.

The Supplemental Motion to Informative Motion Regarding Answers to Damages Questionnaires filed by plaintiff in Civil No. 97-2595 (**docket entry 1809**) is NOTED but MOOT.

The Motion in Compliance With Order filed by plaintiffs in Civil No. 98-1150 (**docket entry 1813**) is MOOT.

The Motion Requesting Leave to Amend Complaint filed by plaintiffs in Civil No. 97-2762 (**docket entry 1825**) is deemed withdrawn by the Motion to Withdraw (**docket entry 1978**), which is NOTED.

The Motion for Leave to File Motion Requesting Order Under Seal filed by the PSC (**docket entry 1831**) is GRANTED. The sealed motion (**docket entry 1832**) is MOOT.

The Motion Requesting Extension of Time filed by the San Juan Gas defendants (**docket entry 1835**) is MOOT.

The Motion Requesting Leave to File Document Under Seal filed by the parties (**docket entry 1848**) is GRANTED.

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The Informative Motion filed by plaintiffs in Civil No. 97-2344 (docket entry 1853), considered as a request for voluntary dismissal of the claims filed by plaintiffs Sheila Rivera and her conjugal partnership, is NOTED and GRANTED. The Clerk shall enter partial judgment in Civil No. 97-2344 dismissing their claims.

The Motion Requesting Extension of Time filed by several insurance companies (**docket entry 1854**) is MOOT.

The Motion Requesting Authorization to File Attachments in the Spanish Language filed by the PSC (**docket entry 1857**) is GRANTED.

The Motion Requesting Authorization to Amend the Complaint filed by the Manager of the SIF in Civil No. 97-1740 (**docket entry 1874**) is DENIED. The Manager of the SIF is reminded that the action of subrogation filed by him does not belong to him, but to the injured worker who is the real party in interest, and as such he must litigate fully the damages' claim against third parties on behalf of the beneficiary instead of being interested only in recovering his expenses as reflected by the allegations of the tendered Second Amended Complaint.

The Notice of Death and Motion Requesting Substitution of Parties filed by plaintiffs in Civil No. 97-2712 (**docket entry 1875**) is NOTED. Having also considered the Motion Requesting Further Extension of Time to Submit Amended Complaint Requesting Substitution of Parties (**docket entry 1962**), the same is GRANTED and plaintiffs in Civil No. 97-2712 are allowed as a final extension until SEPTEMBER 29, 2000 to file their amended complaint substituting the deceased plaintiffs with their heirs.

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The Motion for Leave to File Amended Expense Report of the Plaintiffs' Steering Committee Members Under Seal (**docket entry 1881**) is GRANTED.

The Motion Requesting Authorization to Amend the Complaint filed by the Manager of the SIF in Civil No. 97-1738 (**docket entry 1883**) is DENIED. The Manager of the SIF is reminded that the action of subrogation filed by him does not belong to him, but to the injured worker who is the real party in interest, and as such he must litigate fully the damages' claim against third parties on behalf of the beneficiary instead of being interested only in recovering his expenses as reflected by the allegations of the tendered Second Amended Complaint.

The Motion Requesting Extension of Time filed in Civil Nos. 97-1677, 97-2711 and 97-2669 (**docket entry 1894**) is MOOT.

The Motion for Extension of Time to Respond to Motion to Dismiss filed by plaintiffs in Civil No. 97-1172 (**docket entry 1896**) is MOOT.

The Motion Requesting Leave to File Translations filed in Civil No. 96-2545, 96-2567, 96-2572, 96-2609, 97-1184, 97-1186, 97-1207, 96-2524, 96-2542, 96-2543, 96-2544, 96-2546, 97-1384, 97-1545, 96-2453 and 97-1545 (**docket entry 1897**) is GRANTED.

The Motion for Additional Enlargement of Time to File Supplement (**docket entry 1898**) is MOOT.

The Motion Requesting Extension of Time filed in Civil No. 97-2669 (**docket entry 1899**) is MOOT.

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The Motion Requesting Extension of Time filed by plaintiffs in Civil No. 97-2663 (**docket entry 1914**) is MOOT.

The Motion Requesting Further Extension of Time filed by plaintiffs in Civil Nos. 97-1677, 97-2711 and 97-2669 (**docket entry 1916**) is MOOT.

The Motion Joining Request for Extension of Time filed by plaintiffs in Civil No. 96-2571 (**docket entry 1917**) is MOOT.

The Motion Requesting Reconsideration of Order filed by plaintiffs in Civil Nos. 97-2669 and 97-2668 (**docket entry 1919**) shall be referred to Judge Ward.

The Motion Requesting Reconsideration of Order filed by plaintiffs in Civil Nos. 97-2770 (**docket entry 1920**) shall be referred to Judge Ward.

The Motion Requesting Dismissal Order be Amended filed in Civil No. 97-2736 (**docket entry 1921**) shall be referred to Judge Ward.

The Motion Requesting Reconsideration of Order of Dismissal for Nonprosecution filed in Civil No. 97-2712 (**docket entry 1922**) shall be referred to Judge Ward.

The Motion for Reconsideration of Order of Judge Ward filed in Civil No. 97-2757 (**docket entry 1925**) shall be referred to Judge Ward.

The Motion to Reconsider Order filed in Civil Nos. 97-2669 and 97-2668 (**docket entry 1927**) shall be referred to Judge Ward.

The Motion for One Day Extension of Time filed in Civil No. 97-1172 (**docket entry 1928**) is MOOT.

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The Motion for Extension of Time to Oppose Motion to Dismiss filed in Civil No. 97-1172 (**docket entry 1929**) is MOOT.

The Motion for Leave to Supplement Expert's Report filed in Civil No. 97-1172 (**docket entry 1930**) is GRANTED.

The Motion for Ten (10) Days Extension of Time filed in Civil No. 97-1172 (**docket entry 1931**) is MOOT.

The Motion for Extension of Time filed in Civil No. 97-1772 (**docket entry 1934**) is MOOT. However, any discovery not provided by plaintiff's self-imposed deadline of August 4, 2000 will be deemed untimely.

The Motion Requesting Permission to File Fourth Amended Complaint filed by plaintiffs in Civil No. 97-1167 (**docket entry 1939**) is GRANTED. The tendered Fourth Amended Complaint is ORDERED FILED.

The Motion Requesting Termination of the Plaintiffs Steering Committee (**docket entry 1941**) is GRANTED.

The Motion Requesting Authorization to Amend the Complaint filed in Civil No. 97-2770 (**docket entry 1942**) is GRANTED. The tendered Second Amended Complaint is ORDERED FILED.

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The Informative Motion filed by plaintiff in Civil No. 97-1772 (**docket entry 1945**)
is NOTED but MOOT.

SO ORDERED.

At San Juan, Puerto Rico, on Augustth 8, 2000.



CARMEN CONSUELO CEREZO
United States District Judge